REMARKS

Claims 1-18 were examined in the November 4, 2004 office action. In that action, the examiner objected to the specification on the basis that the abstract included repeated material. The foregoing amendment presents a substitute abstract lacking the matter that was objected to.

The November 4, 2004 office action rejected claims 1-18 on prior art grounds. Claims 12 and 13 have been canceled, independent claim 14 has been amended, and new claims 19-22 are presented. For the following reasons, it is respectfully submitted that the pending claims are patentable.

The present invention relates to reducing the likelihood of success of adulteration attacks on content-screening algorithms, so as to hopefully prevent such attacks. A type of algorithm that is subject to such an attack is the SDMI Lite algorithm, in which the number of fifteen-second sections of a music file that are checked for content-protection-indicating watermarks is two, regardless of the length of the music file. By adding sections that lack watermarks to a file having watermarks, an attacker can increase the chances that the two sections of the adulterated file that are checked for a watermark will be added sections, and can thus increase the chances that the adulterated file will pass the content-screening algorithm. The present invention reduces the likelihood that such an adulteration attack will succeed by making the number of sections checked for content-protection be a generally increasing function of the total number of sections.

The examiner rejected independent claims 1 and 14 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,496,802 to van Zoest et al. ("van Zoest"). This rejection is respectfully traversed, for the following reasons. Claim 1 specifies:

> 1. A method of preventing an attack on a screening algorithm, the method comprising the steps of:
> identifying content to be downloaded;
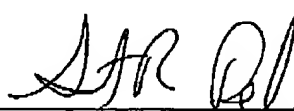> determining a total number of sections of a predetermined duration

of time in the content to be downloaded; and

      screening a predetermined number of sections of the total number of sections to determine whether the predetermined number of sections verify correctly through the screening algorithm wherein the predetermined number of sections is a function of a characteristic of the content.

It is respectfully submitted that, contrary to the stated ground of rejection, van Zoest does not disclose anything relating to a screening algorithm or attacks on a screening algorithm. In particular, van Zoest does not disclose "screening a predetermined number of sections of the total number of sections to determine whether the predetermined number of sections verify correctly through the screening algorithm wherein the predetermined number of sections is a function of a characteristic of the content." The portion of van Zoest cited for this element merely discusses extracting, at a server, samples of a music file that can be compared with samples uploaded from a user to determine whether the user has a copy of the file. Moreover, the cited portion discloses nothing relating to determining a number of sections to verify, as a function of a characteristic of the content or otherwise.

Claim 14 has been amended to distinguish over van Zoest for the same reasons as claim 1. Accordingly, these claims and their dependents are patentable.

New claims 19-22 have been added to provide claims of a scope commensurate with the disclosed invention. It is respectfully submitted that they add no new matter and believed that they patentably distinguish over the cited art. Reconsideration and further examination is requested, and an early and favorable action is earnestly solicited.

                            Respectfully submitted,

                            Steven R. Petersen, Reg. No. 31,287
                            Attorney
                            (914) 333-9640